

## CHECKLIST FOR BRIEFS

### ECF FUNDAMENTALS:

- \_\_\_ Briefs filed ECF unless filer is pro se or attorney with a waiver for ECF filings
- \_\_\_ PDF format required
- \_\_\_ Native PDF format strongly preferred

### COVER OF BRIEF (Fed. R. App. P. 32(a)(2)):

- \_\_\_ Sixth Circuit case number
- \_\_\_ Heading: "United States Court of Appeals for the Sixth Circuit"
- \_\_\_ Title of case
- \_\_\_ Nature of proceeding and name of court, agency or board below
- \_\_\_ Title of brief (example "Appellant's Brief")
- \_\_\_ Names(s) and address(es) of counsel filing the brief

### CONTENTS (Fed. R. App. P. 28, 6th Cir. R. 28):

- \_\_\_ Corporate Disclosure Form
- \_\_\_ Table of Contents
- \_\_\_ Table of Authorities with page references (with cases alphabetically arranged, statutes and other authorities)
- \_\_\_ **Statement in support of oral argument** (if there is no statement, argument is waived)  
\*\*\*Page limitation, word or line count begins here . See Fed. R. App. P 32(a)(7)
- \_\_\_ Jurisdictional statement
- \_\_\_ Statement of issues
- \_\_\_ Statement of the case
- \_\_\_ Statement of facts **with references to record** (and appendix for any relevant pleadings not available ECF)

References to lower court, agency record or appendix if one is required must be clear. Abbreviations may be used such as R or RE for district court record entry number on docket or TR for transcript or AR for administrative record. **The word "Doc" or "DE" is not an acceptable description.**

Examples: Appellant's Motion for Summary Judgment, RE #21, pp. 2-5  
Plaintiff's Trial Testimony, RE #53, p. 1  
Plea Agreement, R. 44  
TR. 12/5/03  
A.R. at 190-191  
RE. 33: Trial Tr. 8/30/04 at 7, 89, 112-113

- \_\_\_ Summary of argument

- \_\_\_ Argument with **references to record and citations to case law, statutes and other authorities**
- \_\_\_ Standard of review (for each issue which may appear in discussion of each issue or under separate heading placed before discussion of issues)
- \_\_\_ Signed conclusion
  - Signature format is: s/(attorney's name)
  - Graphic or other electronic signatures discouraged
- \_\_\_ \*\*\*Page limitation, word or line count ends here.
- \_\_\_ Certificate of Compliance, if required by Fed. R. App. P. 32(a)(7)(C)
- \_\_\_ Dated Certificate of Service
- \_\_\_ **Designation of Relevant District Court Documents**
- \_\_\_ Other Addendum contents allowed by Fed. R. App. P. 28(f) or 6th Cir. R. 28. Addendum may **not** contain any items from lower court record or appendix

TYPEFACE AND LENGTH (See Fed. R. App. 32(a)(5) and (a)(7):

- \_\_\_ Typeface either proportionally-spaced font at 14 point (such as CG Times or Times New Roman) or monospaced font at 12 point (such as Courier New)

Times New Roman at 14 point

Courier New at 12 point

- \_\_\_ Length for principal briefs: 30 pages OR up to 14,000 words (proportional fonts) OR up to 1300 lines (monospaced font)
- \_\_\_ Length for reply brief: 15 pages OR up to 7,000 words (proportional fonts) OR up to 650 lines (monospaced font)
- \_\_\_ Briefs using the 14,000 word or 1300 line limits must include word or line count in certificate of compliance (see Fed. R. App. P. 32(a)(7)(C))
- \_\_\_ Headings, footnote and quotations count toward word or line limitations
- \_\_\_ For Death Penalty briefs, see 6th Cir. R. 22(c)(8)
- \_\_\_ For Cross-Appeals, see Fed. R. App. P. 28.1
- \_\_\_ For Amicus briefs, see Fed. R. App. P. 29 and 32

MISCELLANEOUS:

- \_\_\_ Personal information must be redacted from the brief - see Fed. R. App. P. 25(a)(5) for specifics. When filing a brief, the ECF system will require attorneys to verify that personal information has been redacted.
- \_\_\_ Footnotes must be same sized text as body of brief
- \_\_\_ Pages serially paginated
- \_\_\_ Text double-spaced
- \_\_\_ Margins: at least 1" on all four sides